

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CX REINSURANCE CO. LTD.,

Plaintiff

v.

CITY HOMES, INC., *et al.*,

Defendants

* * * * *

CIVIL NO. JKB-17-1476

MEMORANDUM AND ORDER

Previously, Magistrate Judge Gallagher denied CX Reinsurance Company Limited's motion for a protective order; as well, she denied three motions to seal documents that were filed in relation to the motion for protective order. (Mem. Op. & Order, Oct. 18, 2018, ECF No. 77 (denying ECF Nos. 61, 62, 71, & 76).) Judge Gallagher further granted a stay of unsealing until objections to her ruling had been resolved. (ECF No. 82.) The undersigned then overruled objections to Judge Gallagher's order and affirmed her rulings. (Mem. & Order, Feb. 5, 2019, ECF No. 118.) In the same order, the Court directed CX Re to "file a new motion to seal the unredacted documents it believes should be sealed and . . . [to] file proposed redacted versions of those documents" by March 8, 2019. (*Id.*) The Court further extended that deadline to March 13, 2019. (ECF No. 120.)

No new motion to seal has been filed by CX Re in response to the Court's directives, nor has CX Re filed proposed redacted versions of sealed documents. However, Defendants have filed unsealed versions of two of their previously sealed filings: ECF No. 70 (refiled unsealed as

ECF No. 121) and ECF No. 100 (refiled unsealed as ECF No. 122). Now pending before the Court are five motions to seal:

- CX Re's Motion to Seal Its Rule 72 Objection (ECF No. 85)
- CX Re's Motion to Seal Its Opposition to Defendant's Cross-Objections (ECF No. 98)
- Defendants' Motion to Seal Defendants' Response to Plaintiff's Rule 72 Objection to Ruling on Motion for Protective Order (ECF No. 101)
- CX Re's Motion to Seal Reply in Support of Rule 72 Objection (ECF No. 106), and
- Defendants' Motion to Seal Defendants' Reply in Further Support of Cross-Objections to Memorandum Opinion and Order (ECF No. 109)

Defendants' motions were only *pro forma* since they stated they did not believe sealing of their filings was justified. (ECF Nos. 101, 109.) CX Re's motions were also essentially *pro forma* since they only vaguely referred to prejudice to the parties if the documents were unsealed. CX Re has failed to rebut the presumption of public access to court documents and has, therefore, failed to justify any need for sealing the referenced documents. *See generally Va. Dep't of State Police v. Washington Post*, 386 F.3d 567 (4th Cir. 2004).

Accordingly, it is hereby ORDERED:

1. The motions to seal (ECF Nos. 85, 98, 101, 106, and 109) are DENIED.
2. The Clerk SHALL UNSEAL the following documents: ECF Nos. 61, 70, 75, 89, 97, 100, 105, and 108.

DATED this 18 day of March, 2019.

BY THE COURT:



James K. Bredar
Chief Judge